

AMERICAN LEGISLATIVE EXCHANGE COUNCIL

MEMORANDUM

TO: COMMERCE, INSURANCE, AND ECONOMIC DEVELOPMENT TASK FORCE MEMBERS
FROM: MICHAEL HOUGH, TASK FORCE DIRECTOR
DATE: OCTOBER 28, 2010
RE: 35 DAY MAILING—2010 STATES AND NATION POLICY SUMMIT

The American Legislative Exchange Council will host its 2010 States and Nation Policy Summit **December 1 – 3** at the **Grand Hyatt Washington Hotel in Washington D.C.** The last day to reserve hotel accommodations at the ALEC rate is **Thursday, November 4th**. The full Commerce, Insurance, and Economic Development Task Force will meet from **2:30 pm to 5:30 pm** on **Friday, December 3 in Independence GHI**. The Task Force will meet to discuss model legislation on the Devolution of State Highway Systems, Hurricane Mitigation, and an Interstate Insurance Compact. We will also have a roll-out of the Task Force's new Subcommittees, as well as a panel on Franchising.

Please find the following materials enclosed:

- SNPS Agenda-at-a-Glance
- Task Force Meeting Tentative Agenda
- 2010 Annual Meeting Minutes
- Draft Model Legislation
- Task Force Roster
- Registration Forms
- ALEC Mission Statement
- Scholarship Policies by Meeting
- ALEC Task Force Operating Procedures

I look forward to seeing all of you in Washington D.C.! If you have any questions or comments regarding the meeting, please contact me at 202-742-8530 or by e-mail at mhough@alec.org.

Cordially,



Michael Hough
Commerce, Insurance, and Economic Development Task Force Director

2010 States & Nation Policy Summit Agenda*

Tuesday, November 30th		
Joint Board of Directors Meetings	8:00 a.m. - 5:30 p.m.	Farragut/Lafayette
Registration	12:00 p.m. - 5:00 p.m.	Independence Foyer
ALEC Joint Board Reception and Dinner	6:30 p.m. - 9:30 p.m.	Off-site
Wednesday, December 1st		
Registration	7:30 a.m. - 5:00 p.m.	Independence Foyer
Task Force Subcommittee Meetings	8:00 a.m. - 11:45 a.m.	
Exhibit Hall	9:00 a.m. - 3:00 p.m.	Independence Foyer
State Chairs Meeting	9:00 a.m. - 11:45 a.m.	Willson/Roosevelt
New Legislator Orientation	10:30 a.m. - 11:30 a.m.	Franklin Square
Opening Plenary Luncheon	12:00 p.m. - 2:00 p.m.	Independence A
Task Force Chairs Meeting	2:15 p.m. - 3:15 p.m.	Franklin Square
Workshop I: Comparative Effectiveness Research: Rationing Care or Improving Quality?	2:15 p.m. - 3:30 p.m.	Farragut/Lafayette
Workshop II: Higher Education	3:45 p.m. - 5:00 p.m.	Farragut/Lafayette
National Chairman's Reception, <i>by invitation only</i>	5:30 p.m. - 6:30 p.m.	Independence IH
Hospitality Suite	9:00 p.m. - 11:00 p.m.	Congressional Parlor
Thursday, December 2nd		
Registration	7:30 a.m. - 5:00 p.m.	Independence Foyer
Plenary Breakfast	8:00 a.m. - 9:15 a.m.	Independence A
Exhibit Hall	9:00 a.m. - 3:00 p.m.	Independence Foyer
Workshop III: Show Me the Money: Budget Transparency in the States	9:30 a.m. - 10:45 a.m.	Farragut Square
Workshop IV: Delivering Justice to Rape Victims while Minimizing Taxpayer Cost	9:30 a.m. - 10:45 a.m.	Lafayette Park
Workshop V: Cutting Crime and Budgets: The National Movement	11:00 a.m. - 12:15 p.m.	Farragut Square
Workshop VI: EPA's Regulatory Assault: Higher Prices, Fewer Jobs, and Less Energy	11:00 a.m. - 12:15 p.m.	Lafayette Park
Plenary Luncheon	12:30 p.m. - 2:15 p.m.	Independence A
Task Force Meetings	2:30 p.m. - 5:30 p.m.	
• Energy, Environment, and Agriculture		Farragut/Lafayette
• Health and Human Services		
• Public Safety and Elections		Independence CDE
• Tax and Fiscal Policy		Independence FG
		Independence IH
Gala Holiday Reception	6:00 p.m. - 8:00 p.m.	Constitution AB
Hospitality Suite	9:00 p.m. - 11:00 p.m.	Congressional Parlor

Friday, December 3rd		
Registration	7:30 a.m. - 2:00 p.m.	Independence Foyer
Plenary Breakfast	8:00 a.m. - 9:15 a.m.	Independence A
Exhibit Hall	9:00 a.m. - 3:00 p.m.	Independence Foyer
Workshop VII: Federalism I	9:30 a.m. - 10:45 a.m.	Farragut Square
Workshop VIII: Overcriminalization	9:30 a.m. - 10:45 a.m.	Lafayette Park
Workshop IX: A Tax in Sheep's Clothing: How Extended Producer Responsibility Mandates Can Hurt Consumers and Business	11:00 a.m. - 12:15 p.m.	Farragut Square
Workshop X: Federalism II	11:00 a.m. - 12:15 p.m.	Lafayette Park
Plenary Luncheon	12:30 p.m. - 2:15 p.m.	Independence A
Task Force Meetings	2:30 p.m. - 5:30 p.m.	
• Civil Justice		Farragut/Lafayette
• Commerce, Insurance and Economic Development		Independence GHI
• Education		Independence CDE
• Telecommunications and Information Technology		Constitution A
• International Relations		Constitution B
Louisiana Preview Reception for 2011	5:30 p.m. - 6:30 p.m.	Franklin Square
Annual Meeting		
State Delegation Night	Beginning at 6:30 p.m.	See Your State Chair

* Agenda subject to change.



**Commerce, Insurance & Economic Development Task Force
2010 States and Nation Policy Summit
Friday, December 3, 2010
2:30 pm – 5:30 pm
Independence GHI**

Tentative Agenda

- | | |
|---|----------------|
| 1. Call to Order | 2:30 PM |
| Introductions | |
| Approval of Minutes | |
| Introduction of New Members | |
|
2. Model Legislation and Presentations | |
|
UPDATE: Subcommittee Roll Out (20) | 2:50 PM |
| Mr. Michael Hough, <i>Task Force Director</i> | |
|
PANEL: Franchising 101 | 3:10 PM |
| <i>Panelists to be announced (20)</i> | |
|
MODEL LEGISLATION | 3:30 PM |
|
<u>“The Devolution of State Highway Systems Study Act”</u> | |
| Rep. Glenn Vaad, <i>CO</i> | |
|
<u>“The Hurricane Mitigation Promotion Act”</u> | |
| Mr. Alan Smith, <i>The Heartland Institute</i> | |
|
<u>“Insurance Compact Enabling Act”</u> | |
| Dr. Byron Schlomach and Mr. Nick Dranias, <i>Goldwater Institute</i> | |
|
3. For the Good of the Order | 5:20 PM |
| 4. Adjournment | 5:30 PM |

American Legislative Exchange Council
Commerce, Insurance, and Economic Development Task Force
Annual Meeting
August 6, 2010

Attendees:

Public Sector (28)

Asm. Joel Anderson, *California*
Sen. Don Benton, *Washington*
Rep. Woody Burton, *Indiana*
Rep. Gary Chism, *Mississippi*
Rep. John Cosgrove, *Virginia*
Rep. Becky Currie, *Mississippi*
Rep. Gary Daniels, *New Hampshire*
Rep. Mark Formby, *Mississippi*
Rep. Brian Gosch, *South Dakota*
Rep. DebraLee Hovey, *Connecticut*
Rep. Peter Illoway, *Wyoming*
Del. Riley Ingram, *Virginia*
Rep. Charles E. Martin, *Georgia*
Rep. John McComish, *Arizona*
Sen. Walter Michel, *Mississippi*
Rep. Seth Morgan, *Ohio*
Rep. Michael Morley, *Utah*
Sen. Dennis Nolan, *Nevada*
Rep. Roy Charles Ragland, *Arkansas*
Sen. Scott Renfroe, *Colorado*
Rep. Terry Rice, *Arkansas*
Sen. Richard Rosen, *Maine*
Rep. Charles Michael Sargent, *Tennessee*
Rep. Barbara Sears, *Ohio*
Sen. William Sharer, *New Mexico*
Rep. John Smithee, *Texas*
Rep. Fred Steen, *North Carolina*
Rep. Glenn Vaad, *Colorado*

Private Sector (25)

Derek L. Crawford, *Kraft Foods, Inc.* (Private Sector Chair)
Eli Lehrer, *The Heartland Institute* (Task Force Advisor)
Adrian Moore, *Reason Foundation* (Task Force Advisor)
Emily Burk (stand-in for Mark Gorman), *Distilled Spirits Council of the US*
Jon Burton, *Reed Elsevier*
David Christman, *National Beer Wholesalers Association*
James Clark, *American Bankers Association*
Sean Collins, *Altria*

Matthew Glans, *The Heartland Institute*
Eric Goldberg, *American Insurance Association*
Dawson Hobbs, *Wine and Spirits Wholesalers of America*
Mike Komaschka, *Reynolds American Inc.*
Matthew Lathrop, *YUM! Brands, Inc.*
Kevin Lundy, *YUM! Brands, Inc.*
Tommy Moore, *Community Financial Services Association*
Charles Pecchio, *VeriSol*
Paul Russinoff, *VISA*
Geoffrey Segal, *Macquarie Capital USA*
Ted Scott, *American Trucking Association*
Patrick Thomas, *UPS*
Joann Waiters, *ACLI*
Emory Wilkerson, *State Farm Insurance Companies*
Joe Woods, *Property Casualty Insurers*
Steve Woods, *NFIB*
Mike Yadon, *FedEx*

Guests (25)

Eldon Andrus, *Exxon Mobil Corp.*
Toni Bellissimo, *National Card Coalition*
John Berlau, *Competitive Enterprise Institute*
Rep. Buzz Brockway, *Georgia*
Sen. Buck Clarke, *Mississippi*
Nathan Cook, *US Oncology*
Kent Eckles, *Kansas Chamber of Commerce*
Trent England, *Evergreen Freedom Foundation*
Troy Flanagan, *International Franchise Association*
Rep. Mike Harmon, *Kentucky*
Ben Jones, *US Oncology*
Durwood Laughinghouse, *Norfolk Southern Corporation*
Rep. Larry Liston, *Colorado*
Del. Harvey Morgan, *Virginia*
Rep. Dennis Moss, *South Carolina*
Rep. Val Rausch, *South Dakota*
Janet Roder, *Florida Legislative Staff*
Al Sage, *MS Bail Agents Association*
Rose Sager, *Kingdom of Bahrain*
Laurie Smalling, *Wal-Mart*
Rep. James Strickler, *New Mexico*
Kate Viar, *VISA*
JP Wieske, *Council for Affordable Health Insurance*
Bruce Wingo, *Norfolk Southern Corp*
Josh Young, *American Chemistry Council, Inc.*

Staff (3)

Michael Hough, Task Force Director
Courtney O'Brien, Legislative Assistant
Toby Kearns, Intern

I. Preliminaries

The task force introduced the agenda, introduced new members, and approved the minutes of the April meeting. Senator Dennis Nolan stepped in as Public-Sector Chair in Representative Susan Lynn's absence.

II. Subcommittee Reports

1. Transportation Subcommittee

The subcommittee met on August 5, 2010 and passed: *Traffic Incident Management Quick Clearance Act* and *The Share the Road Safety Act*.

III. Presentations

1. Presentation "Will Congress Pass Major Legislation in the Lame Duck Session?" – Mr. John Fund, *Wall Street Journal*

IV. Consideration of Model Legislation

1. "Traffic Incident Quick Clearance Act" – by Ted Scott, *American Trucking Association*

This act establishes the duties of drivers when approaching traffic incidents, the expedited removal of vehicles from an incident, the liability protection for authorized clearance functions, and compensation for incident removal costs.

Amendments in order of introduction:

- 1) Line 89, Section 5.A: insert "reasonable" before "cost"
- 2) Line 90, Section 5.A: insert "reasonable" before "compensation"
- 3) Line 89, Section 5.A: strike "removing" and add the phrase, "an authorized or permissive removal of"
- 4) Line 90, Section 5.A: strike "unqualified" before "right to"
- 5) Line 91, Section 5.A: after the phrase "from the owner (or owners)" add the phrase "or permissive use operator"
- 6) Line 91, Section 5.A: insert "registered" before the phrase "owner (or owners) of"
- 7) Line 44, Section 3.C: after the phrase "move the vehicle" add the phrase "in a manner so as not to substantially alter or adversely impact evidence related to the incident"
- 8) Line 49, Section 3.D: after the phrase "law enforcement agency" add the phrase "in a manner so as not to alter"

substantially or adversely impact evidence related to the incident”

- 9) Line 43, Section 3.C: strike “and” after “movable” and replace with a comma
- 10) Line 44, Section 3.C: strike “shall” and replace with “may”

Motion to pass Amendments (7) and (8); failed public sector, passed private sector. Amendments fail.

Motion to adopt the model legislation as amended (Amendments 1-6 and 9-10); passed public sector, passed private sector. **Bill Passed.**

2. “The Share the Road Safety Act” – by Ted Scott, *American Trucking Association*

This act provides increased safety instruction of young driver education programs by raising the awareness of all motor vehicle drivers on how to share the road/highway with large trucks. This legislation requires the inclusion of a section on awareness and safe interaction with commercial motor vehicle traffic in public school, private school, and commercial driver training schools. Classroom instruction and behind-the-wheel training must include, but is not limited to: truck stopping distances, proper distances for following trucks, identification of truck blind spots, and avoidance of driving in truck blind spots.

Amendments in order of introduction:

- 1) Remove (B) and (C) from Section 3 and insert at the end of Section 2 as (G) and (H) respectively
- 2) Line 8, Section 3.A: strike “must” and replace with “shall”

Motion to adopt the model legislation as amended; passed the public sector with one dissenting vote; passed the private sector unanimously. **Bill Passed.**

3. “A Resolution Concerning Tax Treatment of Affiliated Reinsurance” – by Alan Smith, *The Heartland Institute*

The Resolution lays out the importance of offshore affiliated reinsurance in risk-spreading and management throughout the insurance business. The Resolution opposes new taxes on reinsurance which would reduce its supply and raise prices for consumers and business which use primary insurance.

Motion to adopt the model resolution; passed the public sector unanimously; passed the private sector unanimously. **Resolution Passed.**

4. “Electronic Pay Choice Act” – Paul Russinoff, *VISA*

Motion to untable the model legislation; passed public sector unanimously; passed private sector unanimously. **Bill Untabled.**

Motion to amend Line 13, Section 2.ii: strike “and” and insert “or”

Motion to adopt the model legislation as amended; passed public sector with two dissenting votes; passed private sector unanimously. **Bill Passed.**

V. For the Good of the Order

VI. Adjournment

DRAFT The Devolution of State Highway Systems Study Act

Summary

Concerning a study of the options for devolution of state highways that are commuter highways to local governments.

Model Legislation

{Title, enacting clause, etc.}

Section 1. {Short Title.} This act may be cited as “The Devolution of State Highway Systems Study Act.”

Section 2. {Devolution of commuter highways to counties and municipalities - required study.}

(A) The Transportation [insert appropriate Commission or Department], using existing or easily obtainable data, shall conduct or direct the department of transportation to conduct a study of the state highway system for the purpose of determining which highways or portions of highways that are part of the state highway system are commuter highways. The [Commission] shall report the results of the study to the [insert appropriate Committee] of the House of Representatives and the [insert appropriate Committee] of the Senate, or any successor committees, no later than [insert date], 20[XX]. The [Commission] may include in the report recommendations as to whether all or some of the identified commuter highways should be removed from the state highway system and thereafter maintained and supervised by counties and municipalities. If the [Commission] recommends the removal of any commuter highways from the state highway system, it shall first have consulted with the affected metropolitan planning organizations in the conduct of the study, received the input of one local government elected official appointed by each of the metropolitan planning organizations in the state for the purpose of providing such input, and presented the recommendations to the boards of the affected metropolitan planning organizations for review and comment and shall also make recommendations regarding modification of the formulas used to allocate moneys in the highway users tax fund between the state, counties, and municipalities to provide the level of funding necessary to avoid any unfunded mandates created by changes in the allocation of highway maintenance and supervision responsibilities between the state, counties, and municipalities that would result from the removal. A report made pursuant to this section that includes recommendations as to whether commuter highways should be removed from the state highway system shall include a statement regarding the extent to which the elected officials appointed by the

metropolitan planning organizations in the state agree with the [Commission]’s recommendations.

Section 3. {Definitions.}

(A) For purposes of this section:

(1) “Commuter Highway” means a highway or a portion of a highway that:

(a) is part of the state highway system;

(b) is located within the territory of a metropolitan planning organization;

(c) is not an interstate highway; and

(d) is determined in the conduct of the study required by subsection (A) of this section to be used at least eighty percent of the time, estimated as a percentage of total trips on the highway or portion of a highway, for travel within the territory of the metropolitan planning organization.

(2) “Metropolitan Planning Organization” means a metropolitan planning organization under the “Federal Transit Act of 1998.”

Section 4. {Severability Clause.}

Section 5. {Repealer Clause.}

Section 6. {Effective Date.}

1

2 **DRAFT The Hurricane Mitigation Promotion Act**

3 ***Summary***

4 This Act creates an annual “Hurricane Mitigation Week,” in which the Governor calls on
5 individuals, business owners, and commercial property owners to prepare for the
6 hurricane season, and to urge county and municipal governments to help citizens prepare
7 as well. Also, the Act creates a Special Advisory Commission on Hurricane Mitigation
8 to evaluate and strengthen the state’s preparedness for hurricanes. Finally, the Act enacts
9 a state sales tax exemption on portable generators and other hurricane preparedness
10 equipment during Hurricane Mitigation Week

11 ***Model Legislation***

12 {Title, enacting clause, etc.}

13 **Section 1. {Designation.}** The period from May 25th to May 31st of each year is
14 “Hurricane Mitigation Week.”

15 **Section 2. {Proclamation.}** The Governor is requested to issue each year, a
16 proclamation calling on:

17 (A) Individuals, business owners, and commercial property owners within the state to
18 prepare their homes, properties, and communities for the coming hurricane season.

19 (B) All state agencies to review and update hurricane preparedness plans.
20

21 (C) All county and municipal governments as well as the [State Department of Education,
22 The State Department of Emergency Management, the State Department of Commerce,
23 and the State Department of Insurance], to the extent practicable, to focus educational,
24 outreach and other efforts oriented towards hurricane preparedness on the period
25 between May 25th and May 31st of that year.

26 **Section 3. {Commission on Hurricane Mitigation.}** There is hereby created a Special
27 Advisory Commission on Hurricane Mitigation. (the Commission.)

28 (A) The Commission shall consist of twelve members.

29 (B) The membership of the Commission shall include [the Director of Emergency
30 Management and the Commissioner of Insurance] or their designates.
31

32 (C) Six members shall be appointed by the governor one of whom shall have experience
33 or be knowledgeable in the field of insurance, one of whom shall have experience in or

be knowledgeable in the sale, marketing, or manufacture of home improvement products, one of whom shall be a builder of single family homes, one of whom shall be a builder of commercial structures, one of whom shall be the owner of a single family home in [the area of the state served by the state residual wind insurance market or FAIR plan], one of whom shall be the owner of a commercial structure in the [the area of the state served by the state residual wind insurance market or FAIR plan.]

(D) The [Majority Leader of the Lower House], the [Minority Leader of the Lower House], the [Majority Leader of the Upper House], and the [Minority Leader of the Lower House] shall appoint one member of the Commission each.

(E) The Commission shall, one year from the enactment of this statute, and every four years thereafter submit to the governor and make available in electronic form a report that examines and makes recommendations with regard to:

(1) The areas of the state most vulnerable to hurricane damage and the appropriate ways to reduce this damage.

(2) The status of the state's own preparedness for against hurricane damage.

(3) The strengths and weaknesses of [the statewide building code/building codes around the state] with regard to protecting the residents from hurricane damage.

(4) Steps the state should take to improve its preparedness for hurricanes.

(F) [There is authorized to be appropriated [\$50,000] for the purposes of carrying out this section./The Department of Emergency Management shall provide staff support to the Commission.]

Section 4. {Tax Exemption.} Beginning in [2011], for a seven-day period that begins each year on May 25 and ends at 11:59 p.m. on May 31, the [state sales tax law] shall not apply to (i) portable generators used to provide light or communications or preserve food in the event of a power outage and (ii) certain other hurricane preparedness equipment, including, but not limited to, blue ice, carbon monoxide detectors, mobile phone batteries, mobile phone chargers, gas or diesel fuel tanks, nonelectric food storage coolers, portable self-powered light sources, portable self-powered radios, two-way radios, weather band radios, storm shutter devices, tarpaulins or other flexible waterproof sheeting, ground anchor systems or tie down kits, hurricane straps, clips or holdown devices, and packages of AAA cell, AA cell, C cell, D cell, 6 volt, or 9 volt batteries, excluding automobile and boat batteries. As used in this section, "storm shutter" means materials and products manufactured, rated, and marketed specifically for the purpose of

74 preventing window damage from storms.
75 (A) The tax exemption shall apply to each portable generator with a selling price of
76 \$1,000 or less, and each article of other hurricane preparedness equipment with a selling
77 price of \$60 or less. Any discount, coupon, or other credit offered either by the retailer or
78 by a vendor of the retailer to reduce the final price to the customer shall be taken into
79 account in determining the selling price for purposes of this exemption.

80 (B) [The state tax collection authority] in consultation with the Commission on Hurricane
81 Mitigation shall develop guidelines that describe the items of merchandise that qualify for
82 the exemption and make such guidelines available, both electronically and in hard copy,
83 no later than May 15 of each year.

84 **Section 5. {Severability Clause.}**

85 **Section 6. {Repealer Clause.}**

86 **Section 7. {Effective Date.}**

87

INSURANCE COMPACT ENABLING ACT
(DRAFT, DECEMBER 2, 2010)

SUMMARY

This Act allows a state, along with party states, to exercise sovereign police powers and solemnly agree to the following Interstate Insurance Compact.

MODEL LEGISLATION

Section 1. Findings and Declaration of Policy.

A. **{Insert state}** and the party states find public health, safety, and morals, as well as individual liberty and economic development, are best served by open and competitive insurance markets and the freedom to sell and purchase insurance products without unreasonable governmental interference.

B. It is the policy of **{insert state}** and the party states to:

1. Secure the right of any insurance company that is lawfully doing business within the jurisdiction of any compacting state to reciprocal access to any corresponding intrastate insurance market within the jurisdiction of any compacting state; and
2. Secure the right of any person that is domiciled in any compacting state to maintain freedom of choice among insurance policies, as well as the coverage and terms of existing insurance policies, in any and all compacting states.

Section 2. Definitions. As used in this Compact:

A. "State" means a state of the United States.

B. "Insurance policy" means any contract in which one person promises and undertakes, in exchange for consideration of a set or assessed amount of money, to make a payment to either another party or a third-party if a specified event occurs involving a loss, casualty, illness, bodily injury, or death.

C. "Insurance company" means any organization that offers insurance policies.

Section 3. Terms.

A. Any insurance company doing business within the jurisdiction of any compacting state, in compliance with the laws of that state, has the vested right to do business within the jurisdiction of all compacting states under the same terms and conditions.

B. Any insurance company that is doing business within the jurisdiction of any compacting state, in compliance with the laws of that state, shall have unhindered reciprocal access to any corresponding intrastate insurance market within the jurisdiction of any other compacting state.

C. Any person who is domiciled in any compacting state and who has contracted for any insurance policy in compliance with the laws of that state has the vested right to maintain the coverage and terms of that policy in all compacting states regardless of domicile.

SUPPLEMENT TO INSURANCE COMPACT ENABLING ACT:
MODEL NOTICE OF CONFIRMATION

WHEREAS, The Interstate Insurance Compact was formed to provide means through which the signing jurisdictions may participate in a reciprocal program to effectuate the stated policies and purposes of the Compact, and

WHEREAS, Authority to enter the Compact is contained in **{insert statute}**; and

WHEREAS, The Compact will serve to mutually benefit the residents, businesses, and the operation of government in the party jurisdictions.

NOW THEREFORE, In consideration of the mutual and reciprocal benefits to flow therefrom, and pursuant to the authority contained in **{insert statutory citation of authority}**, the “Interstate Insurance Compact” is hereby confirmed.

FURTHER PROVIDED That the desired date of entry **{is/was}** **{insert date}**; and
(Drafting Note: Effective date of entry must be at least 60 days after notification is given to other compact members by the Secretary.)

FURTHER PROVIDED That this jurisdiction agrees to comply with the terms and provisions of the Compact.

Authority for administration of this Compact within this jurisdiction is vested in the office of the governor of each signing state, unless a different administrator is designated by the governor.

DATED: **{Insert date}**

FOR THE STATE OF: **{Insert state}**

TITLE: **{Insert title of compact administrator}**

SIGNATURE: **{Display signature of compact administrator}**

For Secretary Use:
Notice Received **{insert date}**
Notice sent to Compact members **{insert date}**

SUPPLEMENT TO INSURANCE COMPACT ENABLING ACT:
MODEL INTERSTATE INSURANCE COMPACT

The Party States herewith exercise their sovereign police powers and solemnly agree to the following articles of the Interstate Insurance Compact.

Article I. Findings and Declaration of Policy.

1. The Party States find public health, safety and morals, as well as individual liberty and economic development, are best served by open and competitive insurance markets and the freedom to sell and purchase insurance products without unreasonable governmental interference.

2. It is the policy of each of the Party States to:

A. Secure the right of any insurance company that is lawfully doing business within the jurisdiction of any Compacting state to reciprocal access to any corresponding intrastate insurance market within the jurisdiction of any Compacting state; and

B. Secure the right of any person that is domiciled in any Compacting state to maintain freedom of choice among insurance policies, as well as the coverage and terms of existing insurance policies, in any and all Compacting states.

Article II. Definitions. As used in this Compact:

1. “State” means a state of the United States.

2. “Insurance policy” means any contract in which one person promises and undertakes, in exchange for consideration of a set or assessed amount of money, to make a payment to either another party or a third-party if a specified event occurs involving a loss, casualty, illness, bodily injury or death.

3. “Insurance company” means any organization that offers insurance policies.

Article III. Terms.

1. Any insurance company doing business within the jurisdiction of any Compacting state, in compliance with the laws of that state, has the vested right to do business within the jurisdiction of all Compacting states under the same terms and conditions.

2. Any insurance company that is doing business within the jurisdiction of any Compacting state, in compliance with the laws of that state, shall have unhindered reciprocal access to any corresponding intrastate insurance market within the jurisdiction of any other Compacting state.

3. Any person who is domiciled in any Compacting state and who has contracted for any insurance policy in compliance with the laws of that state has the vested right to maintain the coverage and terms of that policy in all Compacting states regardless of domicile.

4. Any person who is domiciled in any Compacting state shall not be prohibited by law from purchasing or selling any insurance policy that is offered in compliance with the laws of any Compacting state.

5. No law or regulation shall compel, directly or indirectly, any person to purchase any insurance policy as a condition of lawful residency.

6. No person shall be required to pay penalties or fines for paying directly for goods or services that might otherwise be paid through an insurance policy.

Article IV. Enforcement.

1. Anyone knowingly interfering with the foregoing terms and conditions shall have committed both a civil rights violation and a criminal offense under the laws of the Party State in which such interference occurs.

2. Redress for any civil rights violation hereunder shall be available in the courts of any Party State both for the victim of such interference and for any taxpaying resident of any Party State, the latter of whom shall be regarded as acting in the public interest on behalf of the Party State in which they reside.

3. Remedies for any civil rights violation hereunder shall include compensatory monetary damages, court costs, litigation expenses, attorney's fees, as well as declaratory and injunctive relief.

4. Any criminal offense hereunder shall be punishable by a prison sentence of up to five years and a fine of not less than \$5,000.

5. The chief law enforcement officer of each Party State shall coordinate criminal offense enforcement efforts under this Article with other Party States.

Article V. Compact Administrator and Interchange of Information.

1. The governor of each Party State, or the governor's designee, shall be the "Compact Administrator" of this Compact for his or her state. The Compact Administrator shall have the power to formulate all necessary and proper procedures to effectuate this Compact, and to delegate needed tasks to other state agencies.

2. The Compact Administrator of each Party State shall furnish to the Compact Administrator of each other Party State any information or documents reasonably necessary to facilitate the administration of this Compact.

Article VI. Entry Into Force and Withdrawal.

1. This Compact shall enter into force and become effective as to any state when it has enacted the same into law.

2. Any Party State may withdraw from this Compact by enacting a statute repealing the same, but no such withdrawal shall take effect until four years after the executive head of the withdrawing state has given notice of the withdrawal to the executive heads of all other Party States. No withdrawal shall affect the validity or applicability of the Compact to states remaining party to the Compact. Party States shall have the power to rescind any notice of withdrawal within said four year period.

Article VII. Construction and Severability. This Compact shall be liberally construed so as to effectuate the purposes thereof. If it receives congressional consent, it is intended to

operate as the Law of the Nation with respect to the Party States and to stop the federal government from engaging in any action inconsistent with the grant of congressional consent. The provisions of this Compact shall be severable; and if any phrase, clause, sentence, or provision of this Compact is declared to be contrary to the constitution of any Party State or of the United States or the applicability thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this Compact and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If this Compact shall be held contrary to the constitution of any state party thereto, the Compact shall remain in full force and effect as to remaining states and in full force and effect as to the state affected as to all severable matters.

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As of 10/27/2010

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As of 10/27/2010

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As of 10/27/2010

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As of 10/27/2010

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ATTENDEE

REGISTRATION / HOUSING FORM

AMERICAN LEGISLATIVE EXCHANGE COUNCIL
ALEC



Early registration deadline: November 10, 2010
Housing cut-off date: November 04, 2010

**Grand Hyatt Washington
Hotel**
1000 H Street, NW
Washington, DC 20001

December 1-3, 2010

Online
www.alec.org

Fax (credit cards only)
202.331.1344

Phone / Questions • Mon-Fri, 9am-5:30 pm Eastern
Registration: 202.742.8538 / Housing: (800) 221-3531

Mail • ALEC Registration & Housing
P.O. Box 96754 • Washington, DC 20090-6754

ATTENDEE INFORMATION

Prefix (required) ☐ Sen ☐ Rep ☐ Del ☐ Mr ☐ Mrs ☐ Ms ☐ Other _____
Last Name _____ First Name _____ Middle Initial _____ Badge Nickname _____
Title _____
Organization (required) _____
Address _____ Suite # _____
City _____ State/Province _____ Country _____ ZIP/Postal code _____
Daytime phone _____ Fax _____ Alternate phone _____
Email (confirmation will be sent by email) _____
Spouse / Guest: If registering a spouse or guest, please complete the spouse/guest registration form.

REGISTRATION INFORMATION

****Save \$50 on registration by booking your hotel room in ALEC's headquarter hotel****

DISCOUNTED REGISTRATION FEES are extended only to registrants booking ALEC's headquarter hotel. Your \$50 savings will become valid when accommodations are confirmed.

Note: Member fees are subject to verification

- ☐ I have already registered # _____
- ☐ ALEC Legislative Member
- ☐ Legislator / Non-Member
- ☐ Newly Elected Legislator (2010 Election Cycle)
- ☐ ALEC Private Sector Member
- ☐ Private Sector Non-Member
- ☐ ALEC Non-Profit Member (501(c)(3) status required)
- ☐ Non-Profit Non-Member (501(c)(3) status required)
- ☐ Legislative Staff / Government
- ☐ ALEC Legacy Member

	Early Until 11/10	On-Site Begin 11/11	Amount
<input type="checkbox"/> I have already registered # _____			
<input type="checkbox"/> ALEC Legislative Member	\$ 375	\$ 475	\$ _____
<input type="checkbox"/> Legislator / Non-Member	\$ 475	\$ 575	\$ _____
<input type="checkbox"/> Newly Elected Legislator (2010 Election Cycle)	\$ 375	\$ 475	\$ _____
<input type="checkbox"/> ALEC Private Sector Member	\$ 725	\$ 875	\$ _____
<input type="checkbox"/> Private Sector Non-Member	\$ 925	\$ 1100	\$ _____
<input type="checkbox"/> ALEC Non-Profit Member (501(c)(3) status required)	\$ 525	\$ 625	\$ _____
<input type="checkbox"/> Non-Profit Non-Member (501(c)(3) status required)	\$ 675	\$ 825	\$ _____
<input type="checkbox"/> Legislative Staff / Government	\$ 400	\$ 500	\$ _____
<input type="checkbox"/> ALEC Legacy Member	\$ 0	\$ 0	\$ _____

Promo Code _____

TOTAL REGISTRATION FEES: \$ _____

Note: Registration forms with enclosed payments must be postmarked by November 10, 2010 to be eligible for early registration rates. Forms and/or payments received after November 10 will be subject to the on-site registration rate. If registering after November 10, please bring completed form and payment to register on-site.

REGISTRATION CONFIRMATION INFORMATION

Online registrants will receive immediate email confirmation. If registering by form, confirmation will be emailed, faxed, or mailed within 72 hours of receipt of payment.

REGISTRATION CANCELLATION / REFUND INFORMATION

Registrations cancelled prior to 5pm Eastern November 10, 2010 are subject to a \$100 cancellation fee. Registrations are non-refundable after 5pm Eastern November 10, 2010.

HOUSING

RESERVATION CUTOFF FOR ALEC DISCOUNTED RATE IS NOVEMBER 4, 2010

****Save \$50 on registration by booking your hotel room in ALEC's headquarter hotel****

- ☐ I do not require a reservation at this time.

Arrival Date _____ **Departure Date** _____

- ☐ Sharing room with _____

Room type

- ☐ Single (1 person - 1 bed) \$ 269
- ☐ Double (2 persons - 1 bed) \$ 294
- ☐ Db/Db (2 persons - 2 beds) \$ 294
- ☐ Triple (3 persons - 2 beds) \$ 319
- ☐ Quad (4 persons - 2 beds) \$ 344
- ☐ Government rate Not Available

* All rates DO NOT include sales tax 14.5 % (subject to change)

Suites and upgraded accommodations are available upon request. Please call ALEC Housing at the number listed above for additional information.

Special requests

- ☐ ADA room required:
_____ Audio _____ Visual _____ Mobile
- ☐ Rollaway / crib: _____
- ☐ Other: _____

METHOD OF HOUSING PAYMENT

- ☐ Please use the same method of payment as above.

Credit Card: Credit Cards will be used to guarantee the reservation.

- ☐ Amer Express ☐ Visa ☐ MasterCard ☐ Discover

Card # _____

Cardholder (please print) _____

Exp Date (mm/yy) _____ Security Code _____

Signature _____

Checks: Payment must be in U.S. currency drawn on a U.S. bank. Please make check payable to ALEC and send to above address.

Note: Cutoff for reservations at the ALEC rate is November 4, 2010. After November 4, 2010, every effort will be made to accommodate new reservations, based on availability and rate.

HOUSING CONFIRMATION INFORMATION

Online reservations will receive immediate email confirmation. Reservations received by form will be confirmed via email, fax, or mail within 72 hours of receipt.

HOUSING CANCELLATION / REFUND INFORMATION

Credit cards will be charged one night room and tax in the event of a no show or if cancellation occurs within 72 hours prior to arrival. Departures prior to the departure date confirmed by the hotel at check-in will result in a charge of one night room and tax. Please obtain a cancellation number when your reservation is cancelled.

SPOUSE / GUEST REGISTRATION / HOUSING FORM

December 1-3, 2010

AMERICAN LEGISLATIVE EXCHANGE COUNCIL
ALEC

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Fax (credit cards only)
202.331.1344

Phone / Questions • Mon-Fri, 8am-5:30 pm Eastern
202.742.8538

Mail • ALEC Registration & Housing
P.O. Box 96754 • Washington, DC 20090-6754

ATTENDEE INFORMATION IS REQUIRED TO REGISTER A SPOUSE OR GUEST

Prefix (required) ☐ Sen ☐ Rep ☐ Del ☐ Mr ☐ Mrs ☐ Ms ☐ Other _____
Last Name _____ First Name _____ Middle Initial _____ Badge Nickname _____
Title _____
Organization (required) _____
Address _____ Suite # _____
City _____ State/Province _____ Country _____ ZIP/Postal code _____
Daytime phone _____ Fax _____ Alternate phone _____
Email (confirmation will be sent by email) _____

SPOUSE / GUEST REGISTRATION

SPOUSE / GUEST REGISTRATION GUIDELINES

1. Spouse / guest registration is meant to accommodate legal spouse and immediate family members.
2. Attendees from the same organization must register independently. No exception will be made.
3. Spouse / guest designation will be clearly visible on name badge.
4. Spouse / guest registrants are not eligible to attend ALEC Task Force meetings.

Last Name _____ First Name _____ Middle initial _____ Badge Nickname _____
Last Name _____ First Name _____ Middle initial _____ Badge Nickname _____
Last Name _____ First Name _____ Middle initial _____ Badge Nickname _____

SPOUSE / GUEST REGISTRATION FEES	Number of Spouse/Guest(s)	Early Until 11/10	On-Site Begin 11/11	TOTAL
<input type="checkbox"/> Spouse / Guest <i>please note name(s) above</i>	_____	\$ 150	\$ 150	\$ _____

METHOD OF SPOUSE / GUEST REGISTRATION PAYMENT

Credit Card: Credit cards will be charged immediately. Please fax to the above number for processing.

☐ Amer Express Card # _____
☐ Visa Cardholder (please print) _____
☐ MasterCard Exp Date (mm/yy) _____ Security Code _____
Signature _____

Checks: Payment must be in U.S. currency drawn on a U.S. bank. Please make check payable to ALEC Registration and send to above address.

Note: If registering after November 10, please bring completed form and payment to register on-site.

REGISTRATION CONFIRMATION INFORMATION

Online registrants will receive immediate email confirmation to the address provided above. If registering by form, confirmation will be emailed, faxed, or mailed within 72 hours of receipt of payment.

REGISTRATION CANCELLATION / REFUND INFORMATION

Registrations cancelled prior to 5pm Eastern November 10, 2010 are subject to a \$100 cancellation fee. Registrations are non-refundable after 5pm Eastern November 10, 2010.



Mission Statement

The American Legislative Exchange Council's mission is...

To advance the Jeffersonian Principles of free markets, limited government, federalism, and individual liberty through a nonpartisan public-private partnership among America's state legislators, concerned members of the private sector, the federal government, and the general public.

To promote these principles by developing policies that ensure the powers of government are derived from, and assigned to, first the People, then the States, and finally the Federal Government.

To enlist state legislators from all parties and members of the private sector who share ALEC's mission.

To conduct a policy making program that unites members of the public and private sector in a dynamic partnership to support research, policy development, and dissemination activities.

To prepare the next generation of political leadership through educational programs that promote the principles of Jeffersonian democracy, which are necessary for a free society.

SCHOLARSHIP POLICY BY MEETING

ALEC Spring Task Force Summit:

1. ***Spring Task Force Summit Reimbursement Form:*** ALEC Task Force Members are reimbursed by ALEC up to a predetermined set limit for travel expenses. Receipts must be forwarded to the ALEC Policy Coordinator and approved by the Director of Policy.
2. ALEC Task Force Members' room & tax fees for a two-night stay are covered by ALEC.
3. *Official Alternate Task Force Members* (chosen by the State Chair and whose names are given to ALEC more than 35 days prior to the meeting to serve in place of a Task Force Member who cannot attend) are reimbursed in the same manner as Task Force Members.
4. ***State Scholarship Reimbursement Form:*** Any fees above the set limit, or expenses other than travel and room expenses can be submitted by Task Force Members for payment from their state scholarship account upon the approval of the State Chair. Receipts must be submitted to the State Chair, who will submit the signed form to the Director of Membership.
5. *Non-Task Force Members* can be reimbursed out of the state scholarship fund upon State Chair approval. Receipts must be submitted to the State Chair, who will submit the appropriate signed form to the Director of Membership.

ALEC Annual Meeting:

State Scholarship Reimbursement Form: State scholarship funds are available for reimbursement by approval of your ALEC State Chair. Expenses are reimbursed after the conference, and may cover the cost of travel, room & tax, and registration. Receipts are to be submitted to the State Chair, who will then submit the signed form to the Director of Membership.

ALEC States & Nation Policy Summit:

1. ***States & Nation Policy Summit Reimbursement Form:*** ALEC offers two scholarships per state to cover the cost of travel, room & tax, and registration not to exceed \$1,000.00 per person for a total of \$2,000.00 per state. ALEC scholarship recipients must be named by the ALEC State Chair. Expenses are submitted to the State Chair and reimbursed after the conference. The State Chair submits the signed form to the Director of Membership.
2. ***State Scholarship Reimbursement Form:*** Any other fees or payments must come out of the state scholarship account, with the approval of the State Chair. Receipts must be submitted to the State Chair, who submits the signed form to the Director of Membership.

ALEC Academies:

Academy Reimbursement Form: Attendees of ALEC Academies are reimbursed by the Task Force Committee hosting the Academy. Attendees will receive a form at the Academy, and will be reimbursed up to \$500.00 for travel, and room & tax fees for a two-night stay by ALEC. Receipts must be forwarded to the appropriate Task Force Director and approved by the Director of Policy.



American Legislative Exchange Council TASK FORCE OPERATING PROCEDURES

I. MISSION OF TASK FORCES

Assume the primary responsibility for identifying critical issues, developing ALEC policy, and sponsoring educational activities which advance the Jeffersonian principles of free markets, limited government, federalism, and individual liberty. The mission will be accomplished through a non-partisan, public and private partnership between ALEC's legislative and private sector members in the specific subject areas assigned to the Task Force by the Board of Directors.

II. TASK FORCE RESPONSIBILITIES

- A. Task Forces have the primary responsibility for identifying critical issues and developing ALEC's official policy statements and model legislation appropriate to the specific subject areas of the Task Force.
- B. Task Forces serve as forums for an exchange of ideas and sharing of experiences between ALEC's state legislator and private sector members.
- C. Task Forces are responsible for developing and sponsoring the following educational activities appropriate to the specific subject area of the Task Force:
 - publications that express policy positions, including, but not limited to State Factors and Action Alerts;
 - educational communication and correspondence campaigns;
 - issue specific briefings, press conferences and press campaigns;
 - witness testimony and the activities of policy response teams;
 - workshops at ALEC's conferences; and
 - specific focus events.
- D. The Executive Director is to ~~Task Forces are responsible for developing an annual budgets,~~ which shall include expenses associated with Task Force meetings and educational activities. A funding mechanism to finance all meetings and educational activities proposed by Task Forces must be available before they can be undertaken.

III. GENERAL PROCEDURES

- A. Requests from ALEC members for policy statements, model legislation and educational activities shall be directed by the Executive Director to the appropriate Task Force, or the Board of Directors if the issue does not fall within the jurisdiction of any Task Force. The appropriate Public and Private Sector Task Force Co-Chairs determine the agenda for each Task Force meeting, and the meetings will be called and conducted in accordance with these Operating Procedures.

The Director of Policy with the consent of the Executive Director assigns a model bill or resolution to the most appropriate Task Force based on Task Force content and prior jurisdictional history 35 days before a Task Force Meeting. All Task Force Co-Chairs will be provided an email or fax summary of all model bills and resolutions 35 days before the Task Force meeting

If both the Co-Chairs of a Task Force are in agreement that they should have jurisdiction on model legislation or a resolution, the legislation or resolution will be considered by the Task Force. If the other Task Force Co-Chairs believe they should have jurisdiction or if the author of the model bill or resolution does not agree on the jurisdictional assignment of the bill, they will have 10 days after the 35-day mailer deadline to submit in writing or by electronic appeal to the Director of Policy their intent to challenge the jurisdiction assignment. The Director of Policy will notify the Executive Director who will in turn notify the National Chair and the Private Enterprise Board Chair. The National Chair and the Private Enterprise Board Chair will in turn refer the matter in question to the Board of Directors Task Force Board Committee. The Director of Policy will establish a conference call for the Task Force Board Committee co- chairs, the author, the affected Task Force Co-Chairs and the Director of Policy at a time convenient for all participants.

The Task Force Board Committee Co-Chairs shall listen to the jurisdictional dispute by phone or in person within 10 days of the request. If both Task Force Board Committee Co-Chairs are in agreement that the Director of Policy made an incorrect jurisdictional referral, only then will the model bill or resolution be reassigned to a committee as they specify once agreed upon by the National Chair and the Private Enterprise Board Chair. The bill or model resolution is still eligible to be heard in whatever Task Force it is deemed to be assigned to as if submitted to the correct Task Force for the 35-day mailer. The National Chair and the Private Enterprise Board Chair decision is final on this model bill or resolution.

Joint referral of model legislation and/or resolutions are allowed if all the affected Task Force Co-Chairs agree. All model legislation and resolutions that have been referred to, more than one Task Force must pass the identical language in both Task Forces within two consecutive Task Force meetings. It is at the Task Force

Co-Chairs discretion how they will handle the hearings of the model legislation or resolution. Both sets of co-chairs have the ability to call a working group, subcommittee, or simply meet consecutively or concurrently if necessary.

If the Task Force co-chairs both agree to waive jurisdiction, they may do so as long as another Task Force still has jurisdiction.

The National Chair and the Private Sector Board Chair will rely upon the Task Force Board Committee Co-Chairs for advice and recommendations on model legislation or resolutions when no jurisdiction in any of the existing Task Forces in operation can be found. The Task Force Board Committee Co-Chairs will work with the Executive Director and the Director of Policy to identify public and private sector Task Force members (not alternates) from the existing Task Forces should their expertise be of assistance to the Task Force Board Committee in reaching a determination and recommendation for approval by the National Chair and the Private Enterprise Board Chair.

- B. The National Chair and the Private Sector Board Chair will rely upon the Task Force Board Committee Co-Chairs for advice and recommendations on model legislation or resolutions when no jurisdiction in any of the existing Task Forces in operation can be found. The Task Force Board Committee Co-Chairs will work with the Executive Director and the Director of Policy to identify public and private sector Task Force members (not alternates) from the existing Task Forces should their expertise be of assistance to the Task Force Board Committee in reaching a determination and recommendation for approval by the National Chair and the Private Enterprise Board Chair.
- C. The Board of Directors shall have ultimate authority over Task Force procedures and actions including the authority to create, to merge or to disband Task Forces and to review Task Force actions in accordance with these Operating Procedures. Nothing in these Operating Procedures prohibits the Board of Directors from developing ALEC policy; however, such a practice should be utilized only in exceptional circumstances. Before the policy is adopted by the Board of Directors, it should be sent to the Public and Private Sector Task Force Co-Chairs under whose jurisdiction the matter falls for review and comment back to the Board of Directors.
- D. The operating cycle of a Task Force is two years. A new operating cycle begins on January 1 of each odd numbered year and ends on December 31 of the following even numbered year. Task Force activities shall be planned and budgeted on an annual basis within each two-year operating cycle.
- E. ~~At the ALEC Annual Meeting, each Task Force will be responsible for determining an operating budget for the succeeding calendar year. The Executive Director will notify the Task Force Co-Chairs, at the ALEC Annual Meeting, what inflation factor will be used by the Task Force to determine the operating~~

~~and programming budgets. Task Force membership and budget information will be reported to the Executive Director by the Public and Private Sector Task Force Co-Chairs. The Executive Director will present this information to the Board of Directors at its regular fall meeting.~~

- F. If a Task Force is unable to develop an operating budget, the Board of Directors will determine whether to continue the operations of the Task Force. This determination will be made according to: (1) the level of membership on the Task Force, and (2) the need for continued services developed by the Task Force for ALEC.
- G. The Board of Directors shall have the authority to allocate limited general support funds to finance the annual operating budget of Task Forces that meet the requirements prescribed in Section III (E). The Executive Director shall determine, and report to the Board of Directors, the amount of general support funds available to underwrite such Task Forces.

IV. MEMBERSHIP AND MEMBER RESPONSIBILITIES

- A. The membership of a Task Force consists of legislators who are members in good standing of ALEC and are duly appointed to the Task Force, in accordance with Section VI (A) and private sector organizations that are full members of ALEC, contribute to the assessment for the Task Force operating budget, and are duly appointed to the Task Force, in accordance with Section VI (B). Private sector organizations that were full members of ALEC and contributed the assessment for the Task Force's operating budget in the previous year, can be appointed to the Task Force for the current year, conditional upon renewal of full ALEC membership and receipt of the current year's assessment for the Task Force operating budget prior to March 31st, unless an alternative date has been approved by the Executive Director.
- B. Each Task Force shall have least two Co-Chairs; a Public Sector Task Force Co-Chair and a Private Sector Task Force Co-Chair. The Public Sector Task Force Co-Chair must be a member of the Task Force and appointed in accordance with Section VI (A). The Private Sector Co-Chair must represent a private sector member of the Task Force and be appointed in accordance with Section VI(B). The Co-Chairs shall be responsible for:
 - (1) calling the Task Force and the Executive Committee meetings to order, setting the agenda and co-chairing such meetings;
 - (2) appointing and removing legislators and private sector members to and from the Task Force Executive Committee and subcommittees;
 - (3) creating subcommittees, and determining each subcommittee's mission, membership limit, voting rules, deadlines, and term of service; and

- (4) selecting Task Force members to provide support for and against Task Force policies during formal Board reviews.
- C. Each Task Force shall have an Executive Committee appointed by the Public and Private Sector Task Force Co-Chairs that is appropriate in number to carry out the work product and strategic plan of ALEC and the Task Force. The Executive Committee shall consist of the Public Sector Task Force Co-chair, the Private Sector Task Force Co-Chair, the subcommittee co-chairs, and the remainder will be an equal number of legislative and private sector Task Force members. The Executive Committee will be responsible for determining the operating budget and proposing plans, programs and budgets for the succeeding year in accordance with (Section V (B); determining if a proposed educational activity conforms to a previously approved model bill, resolution or policy statement in accordance with (Section IX (F); and determining if an emergency situation exists that justifies waiving or reducing appropriate time limits in accordance with (Section VIII (H)).
- D. Each Task Force may have any number of subcommittees, consisting of Task Force members and advisors to focus on specific areas and issues and make policy recommendations to the Task Force. The Task Force Co-chairs, shall create subcommittees and determine each subcommittee's mission, membership limit, voting rules, deadlines, and term of service. Any model bill, resolution or policy statement approved by a subcommittee must be approved by the Task Force before it can be considered official ALEC policy.
- E. Each Task Force may have advisors, appointed in accordance with Section VI (G). Advisors shall assist the members and staff of the Task Force. They shall be identified as advisors on official Task Force rosters, included in all official Task Force mailings and invited to all Task Force meetings. Advisors may also have their expenses paid at Task Force meetings covered by the Task Force operating budget with the approval of the Task Force Co-Chairs. An advisor cannot be designated as the primary contact of a private sector Task Force member, cannot be designated to represent a private sector Task Force member at a Task Force, Executive Committee, or subcommittee meeting, and cannot offer or vote on any motion at a Task Force, Executive Committee, or subcommittee meeting.

V. Task Force Budgets

- A. Each Task Force shall develop and operate a yearly budget to fund meetings.
- B. The operating budget shall be used primarily to cover expenses for Task Force meetings, unless specific funds within the budget are authorized for other use by the Task Force. The operating budget shall be assessed equally among the private sector members of the Task Force. The Executive Director, in consultation with the Task Force Co-Chairs shall determine which costs associated with each meeting will be reimbursed from the operating budget. Any funds remaining in a

Task Force's operating budget at the end of a year are transferred to ALEC's general membership account.

- C. The operating budget shall not be used to cover Task Force meeting expenses associated with alternate task force members' participation, unless they are appointed by their State Chair to attend the Spring Task Force Summit with the purpose to serve in place of a Task Force Member who is unable to attend. Task Force meeting expenses of alternate task force members shall be covered by their state's scholarship account.
- D. The programming budget shall be used to cover costs associated with educational activities. Contributions to the programming budget are separate, and in addition to operating budget contributions and annual general support/membership contributions to ALEC. The Executive Director shall determine the contribution required for each educational activity.

VI. PROCESS FOR SELECTING TASK FORCE MEMBERS, CHAIRS, COMMITTEES AND ADVISORS

- A. Prior to February 1 of each odd-numbered year, the current and immediate past National chairman will jointly select and appoint in writing three legislative members and three alternates to the Task Force who will serve for the current operating cycle, after receiving nominations from ALEC's Public and Private State Chairs, the Executive Director and the ALEC Public and Private Sector members of the Board. At any time during the year, the National Chairman may appoint in writing new legislator members to each Task Force, except that no more than three legislators from each state may serve as members of any Task Force, no legislator may serve on more than one Task Force and the appointment cannot be made earlier than thirty days after the new member has been nominated. In an effort to ensure the nonpartisan nature of each Task Force, it is recommended that no more than two legislators of any one political party from the same state be appointed to serve as members of any Task Force. A preference will be given to those ALEC legislator members who serve on or chair the respective Committee in their state legislature. A preference will be given to legislators who sponsor ALEC Task Force model legislation in the state legislature.
- B. Prior to January 10 of each odd-numbered year, the current and immediate past National Chairman will jointly select and appoint in writing the Task Force Chair who will serve for the current operating cycle, after receiving nominations from the Task Force. Nominations will be requested by the outgoing Task Force Chair and may be placed in rank order prior to transmittal to the Executive Director no later than December 1 of each even-numbered year. No more than five names may be submitted in nomination by the outgoing Task Force chair. The current and immediate past National Chairmen will jointly make the final selection, but

should give strong weight to the recommendations of the outgoing Task Force Chair. In an effort to empower as many ALEC leaders as possible, State Chairs and members of the Board of Directors will not be selected as Task Force Chairs. Task Force Chairs shall serve for one operating cycle term. Where special circumstances warrant, the current and immediate past National Chairmen may reappoint a Task Force Chair to a second operating cycle term.

- C. Prior to February 1 of each odd numbered year, the Public and Private Sector Task Force Co-Chairs will select and appoint in writing the legislative and private sector members of the Task Force Executive Committee, who will serve for the current operating cycle. The Public and Private Sector Task Force Co-Chairs will select and appoint in writing the legislative and private sector members and advisors to any subcommittee.
- D. Prior to February 1 of each year, the Private Enterprise Board Chair and the immediate past Private Enterprise Board Chair will select and appoint in writing the private sector members to the Task Force who will serve for the current year. The appointment letter shall be mailed to the individual designated as the primary contact for the private sector entity. At any time during the year, the Chair of the Private Enterprise Board may appoint in writing new private sector members to each Task Force, but no earlier than thirty days after the new member has qualified for full membership in ALEC and contributed the assessment for the appropriate Task Force's operating budget.
- E. Prior to January 10 of each odd-numbered year, the Chair of the Private Enterprise Board and the immediate past Private Enterprise Board Chair will select and appoint in writing the Task Force Private Sector Co-Chair who will serve for the current operating cycle, after receiving nominations from the Task Force. Nominations will be requested by the outgoing Task Force Private Sector Chair and may be placed in rank order prior to transmittal to the Chair of the Private Enterprise Board. The Chair and the immediate past Chair of the Private Enterprise Board will make the final selection, but should give strong weight to the recommendations of the outgoing Private Sector Task Force Co-Chair. In an effort to empower as many ALEC private sector members as possible, Private Enterprise State Chairs and members of the Private Enterprise Board will not be selected as Private Sector Task Force Co-Chairs. Private Sector Task Force Co-Chairs shall serve for one operating cycle term. Where special circumstances warrant, the current and immediate past Chair of the Private Enterprise Board may reappoint a Task Force Private Sector Chair to a second operating cycle term.
- F. Prior to February 1 of each odd-numbered year, the Task Force Private Sector Co-Chair will select and appoint in writing the private sector members of the Task Force Executive Committee, who will serve for the current operating cycle. The Task Force Private Sector Co-Chair shall select and appoint in writing the private sector members of any subcommittees.

- G. The Public and Private Sector Task Force Co-Chairs, may jointly appoint subject matter experts to serve as advisors to the Task Force. The National Chair and the Private Enterprise Board Chair may also jointly recommend to the Task Force Co-Chairs subject matter experts to serve as advisors to the Task Force.

VII. REMOVAL AND VACANCIES

- A. The National Chair may remove any Public Sector Task Force Co-Chair from his position and any legislative member from a Task Force with or without cause. Such action will not be taken except upon thirty days written notice to such Chair or member whose removal is proposed. For purposes of this subsection, cause may include failure to attend two consecutive Task Force meetings.
- B. The Public Sector Task Force Co-Chair may remove any legislative member of an Executive Committee or subcommittee from his position with or without cause. Such action shall not be taken except upon thirty days written notice to such member whose removal is proposed. For purposes of this subsection, cause may include failure to attend two consecutive meetings.
- C. The Chairman of the Private Enterprise Board may remove any Private Sector Task Force Co-Chair from his position and any private sector member from a Task Force with cause. Such action shall not be taken except upon thirty days written notice to such Chair or member whose removal is proposed. For purposes of this subsection, cause may include but is not limited to the non-payment of ALEC General Membership dues and the Task Force dues. .
- D. The Private Sector Task Force Co-Chair may remove any private sector member of an Executive Committee or subcommittee from his position with cause. Such action shall not be taken except upon thirty days written notice to such member whose removal is proposed. For purposes of this subsection, cause may include but is not limited to the non-payment of ALEC General Membership dues and the Task Force dues.
- E. The Public and Private Sector Task Force Co-Chairs may remove an advisor from his position with or without cause. Such action shall not be taken except upon thirty days written notice to such advisor whose removal is proposed.
- F. Any member or advisor may resign from his position as Public Sector Task Force Co-Chair, Private Sector Task Force Co-Chair, public or private sector Task Force member, Task Force advisor, Executive Committee member or subcommittee member at any time by writing a letter to that effect to the Public Sector and Private Sector Task Force Co-Chairs. The letter should specify the effective date of the resignation, and if none is specified, the effective date shall be the date on which the letter is received by the Public and Private Task Force Co-Chairs.

- G. All vacancies for Public Sector Task Force Co-Chair, Private Sector Task Force Co-Chair, Executive Committee member and subcommittee member shall be filled in the same manner in which selections are made under Section VI. All vacancies to these positions must be filled within thirty days of the effective date of the vacancy.

VIII. MEETINGS

- A. Task Force meetings shall only be called by the joint action of the Public and Private Sector Task Force Co-Chairs. Task Force meetings cannot be held any earlier than thirty-five days after being called, unless an emergency situation has been declared pursuant to Section VIII(H), in which case Task Force meetings cannot be held any earlier than ten days after being called. It is recommended that, at least once a year, the Task Forces convene in a common location for a joint Task Force Summit. Executive Committee meetings shall only be called by the joint action of the Public and Private Sector Task Force Co-Chairs and cannot be held any earlier than three days after being called, unless the Executive Committee waives this requirement by unanimous consent.
- B. At least forty-five days prior to a task force meeting any model bill, resolution or policy must be submitted to ALEC staff that will be voted on at the meeting. At least thirty-five days prior to a Task Force meeting, ALEC staff shall distribute copies of any model bill, resolution or policy statement that will be voted on at that meeting. This requirement does not prohibit modification or amendment of a model bill, resolution or policy statement at the meeting. This requirement may be waived if an emergency situation has been declared pursuant to Section VIII(H).
- C. All Task Force meetings are open to registered attendees and invited guests of ALEC meetings and conferences. Only regular Task Force Members may introduce any resolution, policy statement or model bill. Only Task Force members will be allowed to participate in the Task Force meeting discussions and be seated at the table during Task Force meetings, unless otherwise permitted by the Public and Private Sector Task Force Co-Chairs.
- D. ALEC private sector member organizations may only be represented at Task Force and Executive Committee meetings by the individual addressed in the appointment letter sent pursuant to Section VI(D) or a designee of the private sector member. If someone other than the individual addressed in the appointment letter is designated to represent the private sector member, the designation must be submitted in writing to the Public and Private Sector Task Force Co-Chairs before the meeting, and the individual cannot represent any other private sector member at the meeting.

- E. All Task Force and Executive Committee meetings shall be conducted under the guidelines of Roberts Rules of Order, except as otherwise provided in these Operating Procedures. A copy of the Task Force Operating Procedures shall be included in the briefing packages sent to the Task Force members prior to each meeting.
- F. A majority vote of legislative members present and voting and a majority vote of the private sector members present and voting, polled separately, are required to approve any motion offered at a Task Force or Executive Committee meeting. A vote on a motion to reconsider would be only with the sector that made the motion. Members have the right, in a voice vote, to abstain and to vote present by roll-call vote. In all votes a member can change their vote up until the time that the result of the vote is announced. Only duly appointed members or their designee as stated in Section VIII (D) that are present at the meeting may vote on each motion. No proxy, absentee or advance voting is allowed.
- G. The Public Sector Task Force Co-Chair and the Private Sector Task Force Co-Chair, with the concurrence of a majority of the Executive Committee, polled in accordance with Section VIII (F), may schedule a Task Force vote by mail or ~~fax~~ any form of electronic communication on any action pertaining to policy statements, model legislation or educational activity. The deadline for the receipt of votes can be no earlier than thirty-five days after notification of the vote is mailed or ~~faxed~~ notified by any form of electronic communication, unless an emergency situation is declared pursuant to Section VIII (H), in which case the deadline can be no earlier than ten days after notification is mailed or ~~faxed~~ notified by any form of electronic communication. Such votes are exempt from all rules in Section VIII, except: (1) the requirement that copies of model legislation and policy statements be mailed or ~~faxed~~ notified by any form of electronic communication with the notification of the vote and (2) the requirement that a majority of legislative members voting and a majority of the private sector members voting, polled separately, is required to approve any action by a Task Force.
- H. For purposes of Sections VIII(A), (B) and (G), an emergency situation can be declared by:
 - (1) Unanimous vote of all members of the Task Force Executive Committee present at an Executive Committee meeting prior to the meeting at which the Task Force votes on the model bill, resolution or policy statement; or
 - (2) At least three-fourth majority vote of the legislative and private sector Task Force members (voting in accordance with Section VIII (F)) present at the meeting at which the members vote on the model bill, resolution or policy statement.

- I. Ten Task Force members shall constitute a quorum for a Task Force meeting. One-half of the legislative and one-half of the private sector members of an Executive Committee shall constitute a quorum for an Executive Committee meeting.

IX. ***REVIEW AND ADOPTION PROCEDURES***

- A. All Task Force policy statements, model bills or resolutions shall become ALEC policy either: (1) upon adoption by the Task Force and affirmation by the Board of Directors or (2) thirty days after adoption by the Task Force if no member of the Board of Directors requests, within those thirty days, a formal review by the Board of Directors. General information about the adoption of a policy position may be announced upon adoption by the Task Force.
- B. The Executive Director shall notify the Board of Directors of the approval by a Task Force of any policy statement, model bill or resolution within ten days of such approval. Members of the Board of Directors shall have thirty days from the date of Task Force approval to review any new policy statement, model bill or resolution prior to adoption as official ALEC policy. Within those thirty days, any member of the Board of Directors may request that the policy be formally reviewed by the Board of Directors before the policy is adopted as official ALEC policy.
- C. A member of the Board of Directors may request a formal review by the Board of Directors. The request must be in writing and must state the cause for such action and a copy of the letter requesting the review shall be sent by the National Chairman to the appropriate Task Force Chair. The National Chairman shall schedule a formal review by the Board of Directors no later than the next scheduled Board of Directors meeting.
- D. The review process will consist of key members of the Task Force, appointed by the Task Force Chair, providing the support for and opposition to the Task Force position. Position papers may be faxed or otherwise quickly transmitted to the members of the Board of Directors. The following is the review and adoption procedures:
 - Notification of Committee: Staff will notify Task Force Chairs and the entire task force when the Board requests to review one of the Task Forces' model bills or resolutions.
 - Staff Analysis: Will be prepared in a neutral fashion. The analyses will include:
 - History of Task Force action
 - Previous ALEC official action/resolutions
 - Issue before the board
 - Proponents arguments

- Opponents arguments
- Standardized Review Format: To ensure fairness, a set procedure will be used as the format to ensure the model bill/resolution has a fair hearing before the Board.
 - Task Force Chair(s) will be invited to attend the Board Review
 - Task Force Chair(s) will decide who will present in support and in opposition for the model bill/resolution before the Board.
 - Twenty minutes that is equally divided will be given for both sides to present before the Board.
 - It is suggested that the Board not take more than twenty minutes to ask questions of the presenters.
 - Presenters will then be excused and the Board will have a suggested twenty more minutes for discussion and vote.
 - All votes will be recorded for the official record.
- Notification of Committee: The Director of Policy will notify presenters immediately after the vote. If the Board votes to send the model bill/resolution back to the task force, the Board will instruct the Director of Policy or another board member what to communicate.

E. The Board of Directors can:

- (1) Vote to affirm the policy or affirm the policy by taking no action, or
- (2) Vote to disapprove the policy, or
- (3) Vote to return the policy to the Task Force for further consideration providing reasons therefore.

F. Task Forces may only undertake educational activities that are based on a policy statement, model bill or resolution that has been adopted as official ALEC policy, unless the Task Force votes to undertake the educational activity, in which case the educational activity is subjected to the same review process outlined in this Section. It is the responsibility of the Task Force Executive Committee to affirm by three-fourths majority vote conducted in accordance with Section VIII that an educational activity conforms to a policy statement, model bill or resolution.

X. EXCEPTIONS TO THE TASK FORCE OPERATING PROCEDURES.

Exceptions to these Task Force Operating Procedures must be approved by the Board of Directors.